

SUSAN T. MACKENZIE
Arbitrator, Mediator, Attorney at Law

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Education: J.D., Columbia University School of Law, 1979
M.S., Industrial Relations, Cornell University, 1975
B.A., Smith College, 1969

Professional Experience:

Labor-Management Arbitration

1975-Present. Served as arbitrator under hundreds of collective bargaining agreements in private, public and federal sectors. Industries include: aerospace, airlines, brewery, chemical, communications, education, electrical, energy, entertainment/arts, food, government, health care, maritime, manufacturing, metal fabrication, nuclear energy, plastics, public safety, pulp & paper, retail, service, steel, textile, transportation, utilities.

Labor-Management Mediation, Fact-Finding and Interest Arbitration

1974-Present. Served as a mediator, fact-finder and interest arbitrator in hundreds of disputes involving attorneys, corporate executives, teachers, professors, school administrators, physicians, nurses, health care workers, utility workers, clerical and office staff, maintenance workers, public safety officers, police and firefighters.

Employment and Commercial Mediation, Neutral Fact-Finding and Arbitration

1985-Present. Served as neutral in class action, individual, multiparty and institutional disputes. Issues include FLSA, Sarbanes-Oxley, sexual harassment, age, race, sex and disability discrimination claims, wrongful terminations, dissolution of partnerships, internal organization conflicts and separation packages. Frequently conducts training and lectures on ADR.

Court, Administrative, Agency or Other Designations

Hearing Officer, NYC Health & Hospital Corporation Regulations, 1982-85
Arbitrator, East End Health Plan, 1985-
Arbitrator, Suffolk Employees Health Plan, 1990-
Panel Chair, NYS Education Law Section 3020-a, 1990-2004
Arbitrator/Referee, Dalkon Shield Litigation, 1995-2000
Facilitator, Breast Implant Litigation, 1996-1999
Member, Federal Aviation Authority Appeals Panel, 1999-
Mediator/Arbitrator, Merrill Lynch Claims Resolution Process, 1999-
Arbitrator/Mediator, Huntington Dispute Resolution Procedure, 2000-
Arbitrator, Smith-Barney Dispute Resolution Process, 2001-2005

Permanent/Contract/Labor-Management Designations:**Arbitration**

American Eagle/Association of Flight Attendants
 Anheuser-Busch/Teamsters
 Brookhaven Memorial Medical Center/Federation of Nurses and Health Professionals
 CBS/Directors Guild of America and Writers Guild of America
 City of Ithaca/Police Benevolent Association
 City University of New York/United Federation of Teachers
 Consolidated Edison/Utility Workers Union of America
 Customs Service and IRS/National Treasury Employees Union
 Department of Defense/Overseas Federation of Teachers
 Dow Jones/Independent Association of Press Employees
 Federal Election Commission/National Treasury Employees Union
 General Electric/International Brotherhood of Electrical Workers
 Hoechst-Celanese/Amalgamated Clothing and Textile Workers Union
 Inhilco/Hotel Workers Union
 League of Voluntary Hospitals of New York/1199
 Nassau County/Civil Service Employees Association
 NBC/Writers Guild of America
 Neighborhood Housing Associates/SEIU
 New York Power Authority/Utility Workers Union of America
 New York State/Civil Service Employees Association and Council 82, AFSCME
 Philips Components Co./International Brotherhood of Electrical Workers
 Triboro Bridge & Tunnel Authority/District Council 37, AFSCME
 United Parcel Service/International Brotherhood of Teamsters
 State University of New York/United University Professionals
 Suffolk County Water Authority/Utility Workers of America
 Vassar College/Communications Workers of America

Mediation/Arbitration

AT&T/Communications Workers of America Arbitration and Grievance Mediation Panel
 Verizon/Communications Workers of America Dispute Resolution Panel
 Rutgers University Faculty Grievance Mediation & Arbitration Panel
 School Construction Authority/District Council 37 Dispute Resolution Panel
 United Airlines/Association of Flight Attendants Grievance Mediation Panel

Designating Agency Memberships:

American Arbitration Association (Labor-Management, Employment, Commercial)
 CPR Institute for Dispute Resolution
 Federal Mediation and Conciliation Service
 National Mediation Board
 New York State Public Employment Relations Board
 New York City Office of Collective Bargaining
 Private Adjudication Center, Duke University Law School
 Mediation Research & Education Project, Inc., Northwestern University Law School

Teaching and Research:

1995-Present. Adjunct Professor, Cardozo School of Law (Mediation and Arbitration of Employment Disputes; Employment Discrimination Law); 1980: Adjunct Professor, Graduate Program in Labor-Management Relations, Rutgers University.

1975-Present. Instructor, Cornell University, NYSSILR.

1978-79. Program Director, "Implementation of Executive Order No.40" (Co-sponsored by NYS Division of Human Rights and Cornell/NYSSILR), "Working Women and the Law" (Sponsored by Cornell/NYSSILR).

1977-78. Member, Task Force on Labor Relations in the Performing Arts, Institute of Collective Bargaining Group Relations.

1976-77. Senior Research Associate, NYS Commission on Productivity in the Public Sector and Special Assistant to Director, NYS Assembly Office of Legislative Oversight and Analysis.

Publications:

2005 "Acts of Discrimination Constituting Misconduct or a Mitigating Circumstance," Common Law of the Workplace, 2nd Ed. (2005, BNA, Inc.).

2002 "How Mediators View Their Role," How ADR Works (Norman Brand, Ed., BNA).

2002 "Effective Mediation Advocacy," ALI-ABA's Practice Checklist Manual on Dispute Resolution (American Law Institute, January 2002).

2000 "Mediation - Civil Rights Law in Transition," Fordham Urban Law Journal (Vol.27, April, 2000).

1999 "Employment Arbitration," Arbitration Now (ABA Section of Dispute Resolution) (co-author).

1998 "Flexibility in Resolving Wrongful Termination Disputes," Wrongful Termination Claims: What Plaintiffs and Defendants Need to Know (Practicing Law Institute, January 1998).

1997 "Internal Investigations from the Perspective of an Outside Neutral," 82 Employment Law Counselor 15 (June 1997).

1996 "Employment Disputes," Mediating Legal Disputes: Effective Strategies for Lawyers and Mediators (Dwight Golann, Ed., Little, Brown & Co.) (co-author).

1994 "Resolving Sexual Harassment Claims through ADR," Proceedings of the 46th NYU National Conference on Labor (Little, Brown & Co.).

"Arbitration and the ADA," presented at the 1993 ABA Annual Meeting, Labor and Employment Law Section and excerpted in Labor and Employment Law Section Newsletter (NYSBA), vol. 19, No. 1 (March 1994).

- 1988 "Arbitration in the Health Care Field," Labor and Employment Arbitration (Matthew Bender, Co.) (co-author).
- 1983 "Review of The Grievance Almanac," Arbitration Journal, March 1983, Vol 38, No. 1.
- 1979 "Arbitration as an Alternative to Title VII Litigation," ILR Reports (Spring 1979).
- 1978 The Wide World of Arbitration (New York: Law Journal Seminar Press) (co-editor).
- 1977 Job Promotion under New York State's Civil Service System: A Report of the NYS Commission on Management & Productivity(Albany, New York: New York State).
- 1975 Noise: Employee & Employer Concerns (Ithaca, NY: Cornell University-NYSSILR).
Group Legal Services (Ithaca, NY: Cornell University-NYSSILR).

Professional Affiliations and Awards:

- Member, Advisory Board, Cornell University Program on Labor and Employment Law, 2006-
- Fellow, College of Labor and Employment Lawyers, 2005-
- Fellow, American Bar Foundation, 2004-
- Public Member, NASD NAMC Employment Task Force Subcommittee, 2004
- Member, Board of Governors, National Academy of Arbitrators, 1999-2002
- Public Member, National Arbitration and Mediation Committee, NASD, 1996-1999
- Member (and past Chair), Committee on Labor and Employment Law, Association of the Bar of the City of New York, 1995-2001
- Member, Committee on Labor and Employment Law and Subcommittee on ADR, New York State Bar Association, 1985-
- Member, Committees on Labor & Employment Law and on ADR, American Bar Association, 1985-
- Member, Advisory Board, NY Chapter, Industrial Relations Research Association, 1998-
- Chair, Task Force on Education and Training, American Arbitration Association, 1993-96
- Chair, Advisory Board, Institute for Women and Work, Cornell University, 1983-96
- Vice President, Board of Directors, Hudson Valley Shakespeare Festival, 1996-00
- Member, Board of Directors, NAA Research and Education Foundation, 1995-01
- Recipient, American Arbitration Association Distinguished Service Award, 1993
- Admitted to practice in the State of New York

Compensation \$1,600 Per Day

Per-diem cancellation fee if notice is not received 21 days prior to confirmed hearing date. An additional seven days' notice is required for each consecutive day scheduled. Reserves the right to adjust fees if acceptance of the case so requires.